



Order Filed on October 15, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
DENISE CARLON, ESQUIRE KML LAW GROUP, P.C. Sentry Office Plz 216 Haddon Ave., Suite 406 Westmont, NJ 08018 (215) 627-1322 dcarlton@kmlawgroup.com Attorneys for Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA
In Re:
Rodney Creech,
Debtor.

Case No.: 18-20131 VFP
Adv. No.:
Hearing Date: 7/19/18 @ 10:00 A.M.
Judge: Vincent F. Papalia

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED

DATED: October 15, 2018



Honorable Vincent F. Papalia
United States Bankruptcy Judge

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Debtor: Rodney Creech

Case No.: 18-20131 VFP

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA, the holder of a second mortgage on property known as 2 Riverview Dr W, Montclair, NJ, 07043, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for the Secured Creditor and David G. Beslow, attorney for Debtor, and for good cause having been shown, it is hereby **ORDERED, ADJUDGED and DECREED:**

- Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA's claim shall be allowed as a non-priority general unsecured claim and shall be paid as such in accordance with the Debtor's Chapter 13 Plan.
- The avoidance of Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA's second lien is contingent upon the Debtor's completion of the Chapter 13 plan and the Debtor's receipt of a Chapter 13 discharge.
- Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA shall retain its lien for the full amount due under the subject loan in the event of either the dismissal of the Debtor's Chapter 13 case or the conversion of the Debtor's Chapter 13 case to any other Chapter under the United States Bankruptcy Code.
- Each party shall bear their own attorney's fees and costs incurred in the present case number.
- In the event that the property is destroyed or damaged, pursuant to the mortgage, Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA is entitled to its full rights as a loss payee with respect to the insurance proceeds and has a security interest in such proceeds up to the entire balance due on the mortgage.
- In the event that any entity, including the holder of the first lien on the Subject Property forecloses on its security interest and extinguishes Creditor's lien prior to the Debtor's completion of the Chapter 13 plan, Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA's lien shall attach to the surplus proceeds of the foreclosure sale for the full amount of the subject loan balance at the time of the sale.

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Debtor: Rodney Creech

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DEBTOR'S CHAPTER 13 PLAN**

- Wells Fargo Bank, N.A., as Trustee for First Franklin Mortgage Loan Trust 2006-FFA shall retain its lien for the full amount due under the subject loan should the subject property be sold, or should a refinance take place prior to the Chapter 13 plan completion and entry of a Discharge.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Rodney Creech
Debtor

Case No. 18-20131-VFP
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Oct 16, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 18, 2018.

db +Rodney Creech, 2 Riverview Drive West, Montclair, NJ 07043-2609

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 18, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 16, 2018 at the address(es) listed below:

Clifford B. Frish on behalf of Debtor Rodney Creech yrodriguez@goldmanlaw.org,
cfrish@goldmanlaw.org;yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com
David G. Beslow on behalf of Debtor Rodney Creech yrodriguez@goldmanlaw.org,
yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com
Denise E. Carlon on behalf of Creditor Wells Fargo Bank, N.A., as Trustee et al...
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Jeanette F. Frankenberg on behalf of Creditor Seterus, Inc., as authorized sub-servicer for
Federal National Mortgage Association ("Fannie Mae"), a corporation organized and existing under
the laws of the United States of America cmecf@sternlav.com
Marie-Ann Greenberg magecf@magtrustee.com
Mark Goldman on behalf of Debtor Rodney Creech yrodriguez@goldmanlaw.org,
yrodriguez.knight29@gmail.com;ecf-control@goldman-beslow.com;r64764@notify.bestcase.com
Rebecca Ann Solarz on behalf of Creditor Wells Fargo Bank, N.A., as Trustee et al...
rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8